

REMARKS

INTRODUCTION:

In accordance with the foregoing, claims 1-11 are cancelled herein without prejudice or disclaimer, and claims 12-21 are added. No new matter is being presented, and approval and entry are respectfully requested.

Claims 12-21 are pending and under consideration. Reconsideration is respectfully requested.

CLAIM OBJECTION:

In the Office Action, at page 2, numbered paragraph 1, claims 4-11 was objected to for the reasons set forth therein. Claims 4-11 are cancelled herein. Reconsideration and withdrawal of the objection are respectfully requested.

REJECTION OF CLAIMS 1-3:

In the Office Action, at page 2, numbered paragraphs 2 and 3, claim 1 was rejected under 35 U.S.C. § 102(b) as being anticipated by DE 101 59 390, ("DE '390"). At page 3 of the Office Action, numbered paragraph 5, claims 2 and 3 were rejected under 35 U.S.C. § 103(a) as being unpatentable over DE '390 in view of EP 1 074 415. Claims 1-3 are cancelled herein.

New independent claim 12 of the present invention recites a cabriolet vehicle comprising "a roof having at least a first moving unit and a second moving unit being simultaneously movable."

DE '390 relates to a cabriolet automobile having a hard-top roof with two separately movable roof sections (2, 3). For example, DE '390 discloses that in order to open the roof, the rear roof section 2 has to be opened completely before the front roof 3 can be removed (see FIGS. 4 and 8 of DE '390).

DE '390, however, fails to disclose or suggest "a roof having at least a first moving unit and a second moving unit being simultaneously movable." (See claim 12 of the present invention). As such, DE '390 fails to disclose or suggest the features as recited in claim 12 of the present invention.

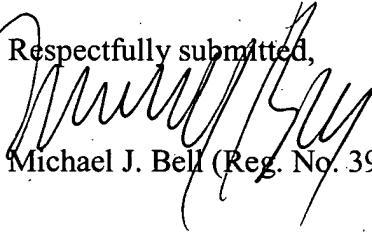
New dependent claims 13-21 (depending from independent claim 12) recite patentably distinguishing features of their own, and further, are at least patentably distinguishing over the cited prior art due to their dependency from independent claim 12.

In view of the above, it is respectfully submitted that the rejection is overcome.

CONCLUSION:

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. The Applicants therefore respectfully request that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. The Applicants believe that a full and complete response has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment is respectfully requested.

Respectfully submitted,

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